Miami Dade County

Stephen P. Clark Government Center 111 N.W. 1st Street Miami, Fl. 33128



LEGISLATIVE ANALYSIS

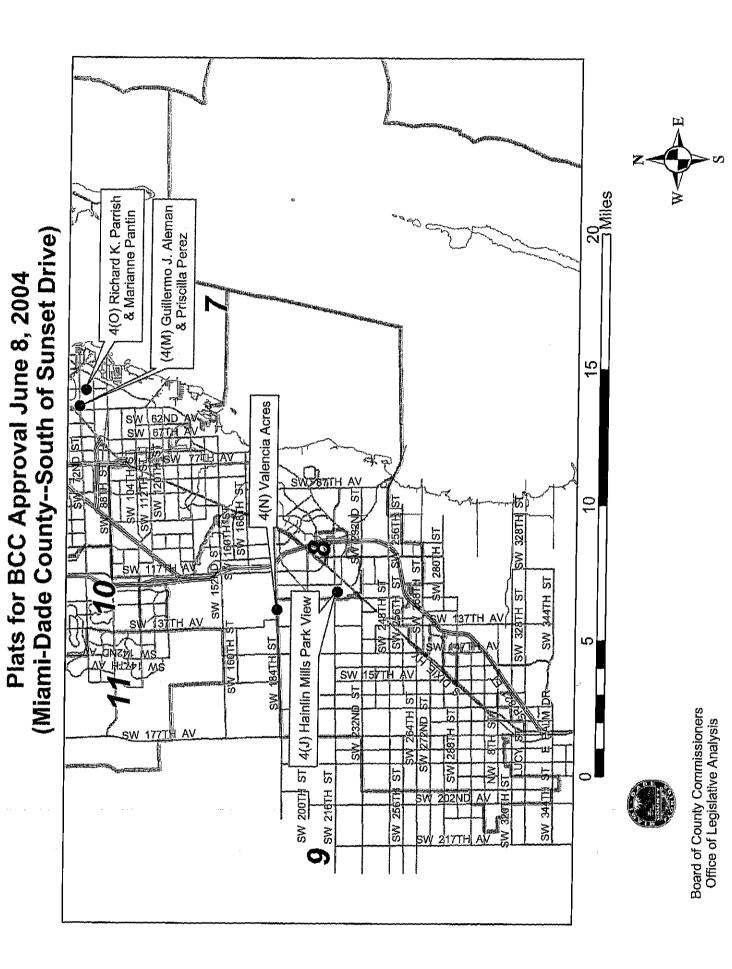
Tuesday, June 8, 2004 9:00 AM Commission Chambers

Board of County Commissioners

Yael Orzechowitz 4(L) CIMS Homes Corp. 4(K) Isaac & FWITTI 4(M) Guillermo J. Aleman & Priscilla Perez (Miami-Dade County--North of Sunset Drive) 15 S TW ZOZND S 82ND AV NW 5 10 58TH 41ST NW 25TF W 106TH S 8TH ST Š O

Plats for BCC Approval June 8, 2004

Board of County Commissioners Office of Legislative Analysis



RESOLUTION AUTHORIZING EXECUTION OF RETROACTIVE AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY U.S. FIRE ACT GRANT FUNDS FOR THE MIAMI-DADE FIRE RESCUE COMMUNITY AFFAIRS BUREAU; AND AUTHORIZING THE COUNTY MANAGER TO EXECUTE MODIFICATIONS, ACCEPT AND EXPEND FUNDS, AND TO EXERCISE THE CANCELLATION PROVISION CONTAINED THEREIN

Fire Rescue Department

I. SUMMARY

This resolution proposes to retroactively authorize a grant for \$72,730 from the Federal Emergency Management Agency (FEMA) for purchase and installation of 5,000 smoke detectors in low income, high risk Miami-Dade County homes. A 30% (\$31,170) local match is required and is budgeted by Fire Rescue Department (MDFR) in their FY 2004-2005 budget proposal.

H. PRESENT SITUATION

These funds will enable expansion of MDFR's smoke detector programs by the purchase and installation of 5,000 smoke detectors, including specialized detectors for the hearing impaired.

III. POLICY CHANGE AND IMPLICATION

The program will be coordinated through the MDFR Community Affairs who will coordinate installation with MDFR personnel and volunteers from AmeriCorps and the Greater Miami Service Corps.

IV. ECONOMIC IMPACT

MDFR identified Homestead, Liberty City and Richmond Heights/Perrine as areas in need because many residents cannot afford to privately install smoke detectors.

FEMA Grant \$72,730

Local Match \$31,170 (MDFR FY 2004-2005)

Project Total \$103,900

Average cost per smoke detector:

\$20.78 (installed)

Total project overhead & labor:

\$15,400.00 (14.8%)

Total project equipment & supplies:

\$88,500.00 (85.2%)

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V. COMMENTS AND QUESTIONS

The Grant Agreement appended to this **Item** (handwritten p. 8) identifies the period of performance to be April 2, 2004- April 1, 2005, but MDFR indicates FEMA has agreed to amend the period to October 1, 2004-September 30, 2005 in the Final Award.

The last paragraph of the Grant Agreement (handwritten p. 10) indicates an additional \$47,000 of MDFR's application was not approved, but MDFR indicates the denied funds do not impact the smoke detector project.

RESOLUTION AUTHORIZING THE COUNTY MANAGER'S ACTION IN APPLYING FOR FEDERAL FUNDS FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT, THROUGH THE EDWARD BYRNE MEMORIAL STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE FORMULA GRANT PROGRAM, IN THE FORM OF A FUNDING INITIATIVE TO SUPPORT THE FLORIDA'S ALCOHOL TESTING PROGRAM KNOWN AS INTOXILYZER 8000 - PHASE 1, WHICH IS BEING COORDINATED BY THE MIAMI-DADE POLICE DEPARTMENT FOR MIAMI-DADE COUNTY; AND WAIVING THE COMPETITIVE BIDDING FOR THE PURCHASE OF THE INTOXILYZER 8000 INSTRUMENTS AND RELATED EQUIPMENT; AND AUTHORIZES THE COUNTY MANAGER TO RECEIVE, EXPEND, AND EXECUTE NECESSARY AMENDMENTS THECONTRACT. AGREEMENTS. ANDAPPLICATION

Police Department

I. SUMMARY

This is a proposal to retroactively approve application for \$94,500 in federal funds administered by the Florida Department of Law Enforcement (FDLE) for the first phase of purchase of new mobile alcohol breathe testing equipment. No local match is required. The proposal also requests waiver of formal bidding requirements because the FDLE program specifies use of this specific equipment which has a sole source manufacturer. Equipment will be distributed to multiple local cities' police departments; departments to receive equipment in this phase include Coral Gables, Hialeah, Homestead, Miami Beach, North Miami Beach, Pinecrest, Miami and Miami-Dade Police Department (MDPD). Additional grant funds and equipment are expected to become available in subsequent phases of the program.

II. PRESENT SITUATION

FDLE specified the Florida Alcohol Testing Program using Intoxiliyzer 8000 equipment as one of their legislative priorities in FY 2003. Phase I of the program has allocated \$94,500 to upgrade Miami-Dade County equipment.

III. POLICY CHANGE AND IMPLICATION

This grant will purchase 15 Intoxilyzers (at \$94,500 each) and 13 printers (at \$375 each.) Of these, MDPD will get 6 Intoxilyzers and 5 printers.

IV. ECONOMIC IMPACT

- \$94,500 (FDLE Edward Byrne Memorial State and Local Law Enforcement Assistance Formula Grant Program)
- No local match

BCC ITEM 3(O)(18)(A) June 8, 2004

V. COMMENTS AND QUESTIONS

Statewide, FDLE indicates a need for 431 Intoxilyzers and an equal number of printers. FDLE's FY 2003-2004 budget included funds for only 110 units, of which Miami-Dade County is getting funds for 15.

RESOLUTION AUTHORIZING THE ERECTION, CONSTRUCTION AND OPERATION OF THE MIAMI-DADE TRANSIT PARKING GARAGE LOCATED ON THE SOUTHWEST CORNER OF SW 127TH AVENUE AND SW 8TH STREET, IN COMPLIANCE WITH SECTION 33-303 OF THE CODE OF MIAMI-DADE COUNTY; AUTHORIZING EXECUTION AND RECORDATION OF A DECLARATION OF RESTRICTIVE COVENANTS TO ASSURE COORDINATED DEVELOPMENT OF ELDERLY HOUSING IN CONJUNCTION WITH THE MDT GARAGE FACILITY; PROVIDING THAT SUCH APPROVALS SHALL BECOME EFFECTIVE UPON APPROVAL OF ZONING APPLICATION NO. 03-112 PERTAINING TO THE ELDERLY HOUSING COMPONENT

General Services Administration

I. SUMMARY

This item acts a public hearing for construction and operation of a Government Facility on vacant land at the Southwest corner of SW 8th Street and SW 127th Avenue.

The facility will consist of a four (4) level parking garage accommodating approximately 100 vehicles for Park and Ride patrons utilizing Miami-Dade Transit Buses.

The Park and Ride will utilize approximately 1/3 of the 2.23 acre vacant parcel. The remaining property is slated to be used to construct a three (3) story low-income Elderly Living Facility.

II. PRESENT SITUATION

On May 21, 2002, the Board of County Commissioners approved a conceptual plan for mixed use development of this site.

On April 7, 2004, Community Council 10 unanimously approved development of the project.

III. POLICY CHANGE AND IMPLICATION

This item satisfies Section 33-303 of the Code of Miami-Dade County requiring a favorable approval by the Board of County Commissioners prior to construction of a Government Facility on County-owned land in UMSA.

IV. ECONOMIC IMPACT

The Park and Ride facility is estimated to cost approximately \$2,200,000.

- \$1,100,000 (50%) Florida Department of Transportation (FDOT).
- \$1,100,000 (50%) Local Option Gas Tax (LOGT)

V. COMMENTS AND QUESTIONS

MDT Parking Garage







ORDINANCE RELATING TO ZONING; PROVIDING FOR MODIFICATION OF LOT COVERAGE CONTAINED IN SECTION 33-328 OF THE CODE OF MIAMI-DADE COUNTY; AMENDING SECTION 33-328 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE

Commissioner Jose "Pepe" Diaz

I. SUMMARY

This ordinance would automatically increase the maximum lot coverage in areas zoned EU-1, or single-family one acre estate district, from 15% to 20% for a one-story structure.

II. PRESENT SITUATION

Currently, the maximum lot coverage for a one-story residential structure allowed in a Single Family one acre estate district (EU-1 districts) is 15% of net lot area or 6,534 square feet. Should one wish to exceed the allowable limits they must seek a variance or administrative adjustment (see comments below).

III. POLICY CHANGE AND IMPLICATION

This ordinance would automatically increase the allowable lot coverage of a one-story structure from 15% of the net lot area to 20% or approximately 8712 square feet. Should one wish to exceed the allowable limits, they must still seek a variance or administrative adjustment. (see comments below).

IV. ECONOMIC IMPACT

None.

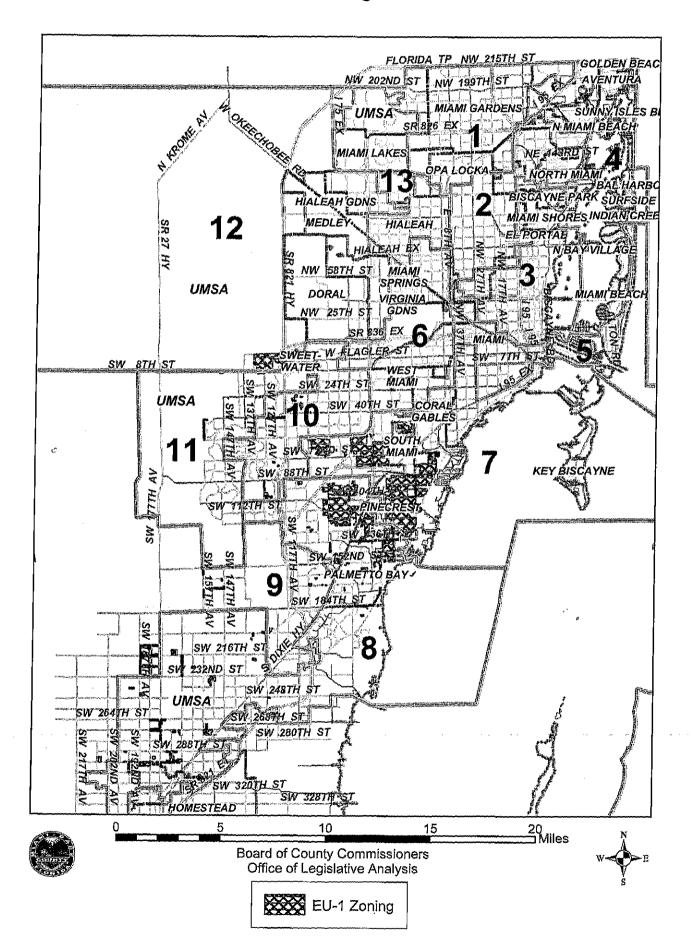
V. COMMENTS AND QUESTIONS

According to staff, the available remedies should a resident desire an increase to the allowable lot size are as follows:

- 1) Variance, which requires a public hearing; and
- 2) Administrative Adjustment, which is limited to an increase of no more than 10% of the amount allowed by code, is a remedy available and requires all of the neighbors to sign.

1,5

EU-1 Zoning Districts



ORDINANCE RELATING TO ZONING; ESTABLISHING PURPOSE, DEFINITIONS, REVIEW PROCESS AND STANDARDS FOR APPROVAL OF PUBLIC CHARTER SCHOOL FACILITIES; CREATING ARTICLE XI OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AMENDING SECTIONS 33-303.1, 33-311 AND 33-314 TO PROVIDE FOR CHARTER SCHOOL FACILITY APPROVALS BY BOARD OF COUNTY COMMISSIONERS AFTER RECOMMENDATION BY DEVELOPMENTAL IMPACT COMMITTEE; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY AND AUTHORIZING THE COUNTY TO CONSIDER AND APPROVE OR DENY APPLICATIONS FOR PUBLIC CHARTER SCHOOLS

Department of Planning & Zoning

I. SUMMARY

This Ordinance and Interlocal Agreement between Miami-Dade County (hereinafter referred to as "County") and the Miami-Dade County School Board (hereinafter referred to as "School Board") will result in a delegation from the School Board to the County the land use authority to approve *public* charter school sites through the zoning hearing process.

II. PRESENT SITUATION

Currently, the School Board has the authority to select locations for all public schools within Miami-Dade County. Florida Statute 1013.33 mandates that Boards and Local Governments coordinate efforts as it relates to the location of schools. Further, Florida Statute 1013.33(10) requires that school site locations are consistent with the Comprehensive Development Master Plan (CDMP).

III. POLICY CHANGE AND IMPLICATION

This Ordinance and Interlocal Agreement between the County and the School Board will delegate to the County the land use authority to approve *public* charter school sites through the zoning hearing process. The School Board, however, would continue to approve curriculum and the charter for *public* charter schools.

The Interlocal Agreement, includes the specific duties of each party to the agreement. The responsibilities of both the School Board and the County include the following:

BCC ITEM 6(G) and 7(N)(1)(B) June 8, 2004

- School Board will be responsible for the maintenance, review and approval of charter school contracts. Charter school applications must be approved before the County will set a hearing on the matter.
- County will be responsible for the approval of use and determining the site plans compatibility with the Comprehensive Development Master Plan, and subsequently issuing final development orders pursuant to a positive recommendation from the Developmental Impact Committee. These final development orders, which are in the sole discretion of the County, are required for a charter school to operate.

III. ECONOMIC IMPACT

None.

IV. COMMENTS AND QUESTIONS

None.

RESOLUTION WAIVING COMPETITIVE BIDDING AND SETTING ASIDE FOR COMPETITION SOLELY AMONG BLACK BUSINESS ENTERPRISES PURCHASE OF AIRPORT PASSENGER AND BAGGAGE ASSISTANCE SERVICES AT MIAMI INTERNATIONAL AIRPORT; AWARDING MANAGEMENT AGREEMENT FOR AIRPORT PASSENGER AND BAGGAGE ASSISTANCE AT MIAMI INTERNATIONAL AIRPORT TO QUALITY AIRCRAFT SERVICES, INC.; APPROVING SUCH AGREEMENT BETWEEN THE COUNTY AND QUALITY AIRCRAFT SERVICES, INC.; AND AUTHORIZING THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE THE AGREEMENT AND TO EXERCISE ANY AND ALL OTHER RIGHTS CONFERRED THEREIN

Aviation Department

I. SUMMARY

This proposed resolution would waive competitive bid requirements and award a three-year, \$25,583,308 BBE set-aside contract to Quality Aircraft Services, Inc. (Quality) for operation and management of passenger and baggage assistance services at Miami International Airport (MIA).

This award recommendation is changed from that which had appeared in a public hearing before the Transportation Committee Agenda as Item 3(D) on November 25, 2003 with a County Manager's recommendation for award to N & K Enterprises, Inc. The County Manager withdrew that recommendation.

Following the filing of a bid protest, the Hearing Examiner ruled in favor of Quality Aircraft Services' protest that, at the public hearing, the Committee Chairperson did not allow the firm to clarify and correct Quality Aircraft Services' bid which had mistakenly listed the annual amount of their proposed management fee instead of the monthly amount. This revised award recommendation was forwarded with a favorable recommendation for approval by the Transportation Committee on May 20, 2004.

II. PRESENT SITUATION

This contract was subject of competition from three BBE firms:

Final Rank	Firm	Proposed Management Fee*	
1	Quality Aircraft Services, Inc.	\$140,000.04 per year/\$11,666.67 per month	
	N & K Enterprises, Inc.	\$180,000.00 per year/\$15,000.00 per month	
3		\$140,000.04 per year/\$11,666.67 per month	

^{*} Other selection criteria considered included experience of the proposer, general manager's experience and qualifications, work plan, and employment plan.

III. POLICY CHANGE AND IMPLICATION

This award and the finding in the bid protest may provide precedent for future BCC Committee public hearing processes.

IV. ECONOMIC IMPACT

Estimated total cost of \$25,583,308 (Airport Revenue Funds) including:

- Management fee (\$11,666.67 per month/\$140,000.04 per year)
- Reimbursable operating expenses
 - o Reimbursable operating expenses are "all direct costs of operation...including material costs, payroll and related expenses, utilities, bonds and insurance, audits, capital operating equipment, maintenance and such other operating expenses approved by the Department or described in the approved Annual Operating Budget." Reimbursable expenses are to be paid through an Imprest Operating Account funded by MDAD and an Imprest Payroll Account. (Art. 4.01-4.03, handwritten pp. 85-86).

Non-reimbursable expenses are defined in the contract (Art. 4.12, handwritten pp. 89-90).

V. COMMENTS AND QUESTIONS

- Like the recently approved MIA Fuel Farm management agreement, this contract does stipulate that the General Manager's salary and benefits, including fringe benefits, are not reimbursable expenses [Art. 4.12(G), handwritten pp. 89-90].
- Unlike the recently approved MIA Fuel Farm management agreement, this contract does not require the dedicated full-time on-site General Manager be or become a Miami-Dade County resident.
- Two of the three submitted bids contained exactly the same management fee to the penny (\$11,666.67 per month/\$140,000.04 per year.)

This contract includes checks and balances including:

- Annual operating budget and operating forecast which require MDAD approval;
- Weekly performance reports;
- Monthly financial statements;
- Quarterly financial report;
- Annual audited financial statement of operations under the agreement; and
- Various other reports (incident, daily airline carrousel assignment, daily shift, & supervisor's report of employee job injury or disease).

RESOLUTION RATIFYING AN AMENDMENT GRANTING AN EXTENSION OF TIME TO AGREEMENT NO. C-8838 WITH THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

I. SUMMARY

This resolution ratifies Amendment No. 2 granting a one year extension of time to a Memorandum of Agreement (MOA) between Miami-Dade County and the South Florida Water Management District (District) regarding Surface Water Improvement and Management (SWIM).

II. PRESENT SITUATION

On October 7, 1997, the County ratified the County Manager's action in executing a MOA between Miami-Dade County and the District. The Florida Legislature had appropriated \$2 million to Miami Dade County for implementing the recommendations of the SWIM plan. State law authorized the disbursement of SWIM funds from the Florida Department of Environmental Protection (DEP) to the District and since there was no existing provision in state law allowing for direct disbursements from DEP to local governments the MOA was needed.

III. POLICY CHANGE AND IMPLICATION

This resolution will extend the time needed to expend all funds associated with this MOA to February 28, 2005. DERM has completed six out of the seven SWIM project recommendations in this MOA. The one project not yet completed is the Arch Creek Estates Basin Retrofit.

IV. ECONOMIC IMPACT

There are no additional costs associated with this item.

V. COMMENTS AND QUESTIONS

This time extension is needed since the Arch Creek Estates Basin Retrofit Project was expanded. The cost for the expanded project was already approved as part of the budget process.

RESOLUTION AUTHORIZING REJECTION OF ALL PROPOSALS IN CONNECTION WITH RFP NO. 362, FOR AN ELECTRONIC INFORMATION SYSTEM AND AUTHORIZING THE COUNTY MANAGER TO RE-ISSUE A REVISED RFP NO. 362-A

Miami-Dade Transit Agency

I. SUMMARY

This resolution seeks approval to reject proposals received through RFP No. 362 and readvertise a revised RFP for the procurement of an Electronic Information System for Miami-Dade County's Transit System.

II. PRESENT SITUATION

The original RFP was approved to be issued in July 2002.

The program envisioned by MDT would provide "real time" audio and visual data related to stop announcements and arrival times for Miami-Dade County's transit system. Further, the program would provide emergency information for riders regarding service delays or weather warnings.

Proposals were received from three (3) bidders in conjunction with the original issuance. The Evaluation/Selection Committee determined that the proposal received from **Transit Television Network**, **LLC (TTN)** was the sole responsive and responsible proposal.

The County began negotiations with TTN in July 2003.

Prior to forwarding a negotiated contract to the Transportation Committee for approval, TTN announced they could no longer meet the negotiated terms. TTN's initial alternative payment structure was unacceptable to the County and subsequent negotiations have failed to yield a mutually agreed upon revenue amount.

III. POLICY CHANGE AND IMPLICATION

This resolution would approve the County Manager's Office ability to re-advertise the RFP with incorporated changes with reference to technology changes, bonding requirements, and Audit Reports associated with the Annual Gross Revenues (AGR) of the contractor.

Because, TTN was the only responsible and responsive bidder to the first RFP, there is no assurance that the revenues proposed by TTN were the best possible deal for the County. Because TTN was the only bidder left to negotiate, they did not have to take into account Minimum Annual Guarantees (MAGs) of competitors when renegotiating with the County.

IV. ECONOMIC IMPACT

Because this is a Revenue Generating contract there are some losses in revenues associated with a delayed award.

However, the Department hopes that these losses will be offset by a better proposal received in a competitive market.

V. COMMENTS AND OUESTIONS

So far, over 21 months have elapsed since the Department received approval to issue this RFP. If the BCC authorizes a re-advertisement of this RFP almost two (2) years will have elapsed and the County will essentially be back to square one with reference to procuring this service.

It is reasonable to assume that the re-advertisement of this RFP will result in at least 12 months prior to this contract being awarded.

Taking into account only the MAG of \$50,000 by TTN, a new contract would have to have an increased MAG of at least 15-20% to offset the revenues lost during a single year's time delay associated with re-advertising this RFP.

RESOLUTION AUTHORIZING EXECUTION OF THE SECOND SUPPLEMENTAL AGREEMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN MIAMIDADE COUNTY AND HNTB CORPORATION IN THE AMOUNT OF \$87,394.10, FOR ADDITIONAL TRANSPORTATION MODELING WORK AND MEETINGS HELD IN THE RE-EVALUATION OF THE RAIL ALTERNATIVE AND THE ALIGNMENT FOR THE NORTH CORRIDOR, IN CONNECTION WITH THE NORTH CORRIDOR TRANSIT STUDY

Miami-Dade Transit Agency

I. SUMMARY

This resolution seeks authorization for a Supplemental Agreement (No. 2) to the Professional Services Agreement (PSA) between Miami-Dade County and HNTB Corporation, for the purpose of further development of the Final Environmental Impact Statement (FEIS) with regard to the North Corridor Metrorail project.

II. PRESENT SITUATION

In August 2001, the County entered into the original PSA, for \$700,000 to develop a Bus Rapid Transit (BRT) route along this corridor. At the time the BRT was seen as the Locally Preferred Alternative (LPA) due to a lack of funding for a Metrorail line along this corridor.

Subsequently, with the passage of the .5 cent Transportation Surtax, the Metropolitan Planning Organization, approved a re-evaluation of the Metrorail (or Heavy Rail) alternative. The balance remaining from the original PSA for the BRT alternative was then applied towards the evaluation of the Metrorail alternative.

On December 4, 2003 the Board approved a first supplement to this PSA in the amount of \$431,519 for further evaluation.

III. POLICY CHANGE AND IMPLICATION

This Supplement (No. 2) would provide an additional \$87,394 in funding and extend the term of the agreement 3 months until November 17, 2004.

IV. ECONOMIC IMPACT

This increase would bring the total amount awarded under this contract to \$1,218,913.

The total increase to this contract included in both Supplements 1 and 2 is approximately \$518,913 (or 74%).

This PSA is funded from 100% federal funds.

V. COMMENTS AND QUESTIONS

The re-evaluation of the current FEIS is required by the Federal Transit Administration (FTA) and the Environmental Protection Agency (EPA) before additional federal funding for this project will be considered.

RESOLUTION MODIFYING TRANSIT FARE STRUCTURE FOR THREE YEARS TO ALLOW MIAMI-DADE COUNTY RESIDENTS TO USE THE TRANSIT SYSTEM WITHOUT PAYING A FARE IF THEY (1) ARE HONORABLY DISCHARGED VETERANS, AND (2) THEIR HOUSEHOLD INCOME DOES NOT EXCEED THE STANDARD THRESHOLD APPLIED TO DETERMINE ELIGIBILITY FOR THE LOW-INCOME, SENIOR CITIZEN'S ADDITIONAL HOMESTEAD EXEMPTION

Commissioner Javier D. Souto

I. SUMMARY

These two (2) agenda items seek to amend the Peoples' Transportation Plan (PTP) and Miami-Dade Transit's (MDT) fare structure to expand the County's "Golden Passport Program", for a three (3) year period, to include Honorably Discharged Veterans whose household income would not exceed the standard applied for the Senior Citizens' Additional Homestead Exemption.

II. PRESENT SITUATION

In 1999 the Golden Passport Program was created to allow low income, elderly residents of Miami-Dade County to ride the public transit system fare free.

With the passage of the PTP, the program was expanded to include all seniors in Miami-Dade County, regardless of income.

Currently, about 100,000 residents are enrolled in the program.

III. POLICY CHANGE AND IMPLICATION

This standard would allow Honorably Discharged Veterans in Low Income Households to take advantage of this program regardless of age.

Applicants for the program will have to provide proof of an Honorable Discharge as well as Household Income.

IV. ECONOMIC IMPACT

The estimated loss of revenue to the County would be approximately \$670,000 per year.

MDT will be reimbursed by the PTP transit surtax for fare reductions associated with this expansion to the program

BCC ITEM 7(J)(2)(A) & 7(J)(2)(B) June 8, 2004

V. COMMENTS AND QUESTIONS

Any expansion of programs not originally included in the PTP will have a corresponding negative effect on the current pro-forma and associated revenues and project timelines.

RESOLUTION APPROVING A ONE-TIME WAIVER TO THE COMMERCIAL REVITALIZATION PROGRAM GUIDELINES AND AUTHORIZING THE UNDERTAKING OF A JOINT COUNTY AND CITY OF MIAMI PROJECT ALONG MARTIN LUTHER KING BOULEVARD

Office of Community and Economic Development

I. SUMMARY

This resolution, if approved, will result in a waiver of the Commercial Revitalization Program (CRP) guidelines intended for a joint County and City of Miami renovation project along MLK Boulevard from Biscayne Boulevard to NW 19th Avenue.

II. PRESENT SITUATION

Currently, there are established CRP guidelines for County participation. When a property or area is located within certain cities (City of Miami, Hialeah, North Miami and Miami Beach), contributions from the municipality is required. The area of MLK Boulevard being address is located within the City of Miami. This requires a financial contribution of 25% by the County and 75% by the City; the County's share may not exceed \$50,000. Among the additional requirements, the applicants for assistance must participate in a Request for Application Process.

III. POLICY CHANGE AND IMPLICATION

See comment section below for a chart comparison. This resolution will result in a waiver of CRP guidelines for this joint project intended to revitalize MLK Boulevard from Biscayne Boulevard to NW 19th Avenue. Among the waivers being proposed, the City and the County will be contributing 50% each to the project. Additionally, the County's financial contribution will exceed the maximum [of \$50,000] and the County will be contributing \$250,000. Instead of the RFA process, the City will select the establishments to receive funds within the selected areas. After completion of the revitalization, the businesses will be restricted from selling their business for a period of 3 years instead of 5 years.

IV. ECONOMIC IMPACT

\$250,000 in Community Development Block Grant funds.

V. COMMENTS AND QUESTIONS

In addition to MLK Boulevard, this revitalization project devised by the City also includes 8th Street from 37th Avenue to I -95. However, staff indicates that the funds contributed by the County will be restricted to MLK Boulevard.

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Questions:

1) The City has selected the blocks for improvement. What is the criteria that will be used to select the actual properties to receive assistance?

Comparison of CRP requirements

Normal CRP process Requirements	MLK program Requirements	
1) Participation from the City is 75% if	1) Participation from the City is 50%. The	
located within the city limits. The	County's contribution is also 50% for a	
County's contribution is 25% or a	contribution amount of \$250,000	
maximum of \$50,000.		
2) A RFA process is required	2) There will be no RFA process	
3) Applicant/owner must contribute a	3) Owner contribution determined on a	
minimum of 10%	case by case basis not to exceed 10%	
4) Businesses prohibited from selling	4) Businesses prohibited from selling	
property for five (5) years	property for three (3) years	
5) No specific language as it relates to	5) Work with City of Miami NET office	
code violations.	and Team Metro to correct exterior code	
	violations.	
6) 51% of jobs created must be made	6) Participating businesses are required to	
available to low to moderate income	maintain or create jobs. There do not	
residents.	appear to be any stipulations as to income	
	levels.	

RESOLUTION APPROVING PRIORITY FOCUS AREAS, EVALUATION CRITERIA, AND SOLICITATION DOCUMENTS FOR FY 2004-2005 COUNTY FUNDING OF COMMUNITY BASED ORGANIZATIONS FOR THE PARK PROGRAMMING, IMPROVEMENTS AND LIBRARY INFORMATION ACCESS SERVICES REQUEST FOR PROPOSALS AND AUTHORIZING THE COUNTY MANAGER TO ADVERTISE THE REQUEST FOR PROPOSALS

I. SUMMARY

This resolution approves the Park Programming, Improvements and Library Information Access Services Request for Proposals for the FY 2004-05 community based organizations (CBOs).

II. PRESENT SITUATION

The Park and Recreation Department and the Library Department have both used a RFP process since FY 1995-96. They will use the same process for FY 2004-05.

III. POLICY CHANGE AND IMPLICATION

This item recommends priority focus areas, evaluation criteria and solicitation documents for Park Programming, Park Capital Improvements, and Library Information Access Services Request for Proposals. Total funding for this RFP is \$634,000. The RFP is scheduled for distribution on June 14, 2004 with funding recommendations being made by August 2004.

IV. ECONOMIC IMPACT

The total allocation for this RFP is \$634,000. Specifically the money will be allocated as follows:

- 1. Park Programming (\$107,000 available; individual grant awards up to \$7,500)
- 2. Park Capital Improvements (\$500,000 available; individual grant awards up to \$75,000)
- 3. Library Information Access Services (\$27,000 available; one or more individual grants totaling \$27,000)

V. COMMENTS AND QUESTIONS

None.

RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF CERTAIN GOODS AND SERVICES APPROVING CERTAIN MINORITY SET ASIDES AND SUBVENDOR GOALS AND AUTHORIZING THE COUNTY MANAGER TO AWARD SAME AND EXECUTE OPTIONS TO RENEW RESOLUTION WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF CERTAIN GOODS AND SERVICES APPROVING CERTAIN MINORITY SET ASIDES AND SUBVENDOR GOALS AND AUTHORIZING THE COUNTY MANAGER TO AWARD SAME AND EXECUTE OPTIONS TO RENEW (SECURITY GUARD SERVICES AT THE JUVENILE ASSESSMENT CENTER)

Department of Procurement Management

I. SUMMARY

This item proposes waiving competitive bids for a two-year, \$2.5 million award to Wackenhut Corp. to, at the Miami-Dade County Juvenile Assessment Center (JAC), "provide services to offending juveniles to include receiving, booking, photographing and fingerprinting, assessing, monitoring, disciplining and transportation to another facility or returning them to their parents" (handwritten p. 7). This award would include three, one-year options to renew. The Department of Procurement Management (DPM) indicates they are preparing a supplement describing efforts to obtain competition for this contract and indicating that follow-up with an additional potential bidder, as discussed with the Transportation Committee, did not result in interest in bidding on the contract.

II. PRESENT SITUATION

Wackenhut's contract for these services at the JAC began when, on September 9, 1997, the BCC approved an emergency, month-by-month contract in order to staff the then new JAC, which became fully operational in October 1997.

In September 1998, the BCC approved an additional one-year emergency contract with Wackenhut with an option to extend month-to-month for up to one year contingent upon the successful completion of a regular bid process.

Wackenhut's satisfactory performance to date was cited at the May 18, 2004 Public Safety Committee meeting as a major reason the JAC would like to continue the services of this firm.

III. POLICY CHANGE AND IMPLICATION

This would effectively implement a no bid, two-to-five year extension (depending on whether options to renew are exercised) to Wackenhut's more than 6 year history of providing security services for the JAC.

BCC ITEM 7(O)(1)(A) June 8, 2004

Continued waiver of competitive bid requirements reduces the likelihood of other competitors becoming locally established in future.

IV. ECONOMIC IMPACT

\$2.5 million (JAC)

Item includes a 40% BBE subvendor goal (Alanis, Inc., d.b.a Alanis Security, has been Wackenhuts BBE subvendor)

V. COMMENTS AND QUESTIONS

- This procurement's title, "Security Guard Services," may have unnecessarily limited interest by potential responsive, responsible bidders because the contract requires services that might exceed those normally provided by many security guard firms.
 - o The juvenile correctional/detention services required per the contract description include "receiving, booking, photographing and fingerprinting, assessing, monitoring, disciplining and transportation to another facility or returning them to their parents" (handwritten p. 7).
- At the May 18, 2004 Public Safety Committee meeting, DPM described its efforts to
 identify potential bidders for this contract. DPM also indicated its continued
 commitment to obtaining competitive bids, if feasible, and to contact a juvenile
 services firm that web-based research by the Office of Legislative Analysis had been
 identified as potential bidder. [Youth Services International (YSI), a subsidiary of the
 private correctional firm Correctional Services Corp., reportedly operates three
 juvenile residential facilities in Florida.] DPM indicates that YSI did not express
 interest in bidding on this contract.
- In general, contracts that traditionally have no or limited competition might generate greater competition by:
 - Splitting the contract into packages that better match available commercial services; and/or
 - Converting some or all positions to fulltime County positions. (Note: When the JAC was created in 1997, the positions that are now in this contract were classified as correctional officer positions, but it was decided at that time that Corrections and Rehabilitation Department would not be able to provide staff without negatively impacting their other responsibilities.) Providing services with County employees may or may not be more cost effective than contracting, and its desirability would need to be examined on a case-by-case basis.

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO ADVERTISE A REQUEST FOR PROPOSALS FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN OPERATIONS AND MAINTENANCE OF CONCESSION FACILITIES & RETAIL SALES AT METROZOO, TO EXERCISE ANY CANCELLATION AND READVERTISEMENT PROVISIONS AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN RFP NO. 384

I. SUMMARY

This resolution is a request to advertise for a RFP for the operations and maintenance of concession facilities and retail sales at Miami Metrozoo.

II. PRESENT SITUATION

Presently, Miami Metrozoo has 3 food concession locations with adjacent outdoor eating areas and 3 gift shop locations. Toby's Frozen Lemonade operates the concessions under a one year permit expiring October 31, 2004. In addition, the Zoological Society of South Florida operates retail facilities under an agreement that extends to November 18, 2006. Should a determination be made that a new concessionaire provide Gift and Novelty Concession services, the Society would have to relinquish its rights to the existing agreement. The Zoological Society of South Florida has already agreed to do so if the RFP yields a high quality concessionaire that can improve the performance of gift and novelty sales at the zoo.

III. POLICY CHANGE AND IMPLICATION

This RFP is recommended to be issued to obtain proposals from qualified firms to provide concession services and retail sales at Miami Metrozoo. The term of the contract is five years with two two-year options to renew exercised at the sole discretion of the County. The selected proposer will be required to purchase existing retail inventory owned by the Zoological Society of South Florida under terms and conditions to be finalized during the contract negotiation period. In addition, the proposer will be required to provide all furnishings, fixtures and equipment necessary for this operation.

IV. ECONOMIC IMPACT

It is estimated that the concession services should generate from \$350,000 to \$425,000 annually. The exact payment terms of the contract will have to be negotiated. Under the current agreement, Toby's Frozen Lemonade is required to pay 26% of gross receipts.

BCC ITEM 7(O)(1)(C) June 8, 2004

V. COMMENTS AND QUESTIONS

None.

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO EXECUTE AN AGREEMENT WITH MIAMI-DADE COLLEGE FOR USE OF FIRE COLLEGE TRAINING FACILITIES

Fire Rescue Department

I. SUMMARY

This proposed resolution would agree to continue Firefighter I and II training for Miami-Dade Fire Rescue Department (MDFR) recruits at Miami-Dade College's State Certified Fire Training Facility during the period July 1, 2004 through June 30, 2005. The agreement would provide for the training of approximately 144 recruits at an estimated cost \$200,000.

II. PRESENT SITUATION

This agreement provides for the continuation of recruit training programs that have been in place since 1992 at Miami-Dade College's State Certified Fire Training Facility. This is a cooperative training program in which the College and MDFR share training responsibilities using the College's resources augmented, for some components, by MDFR trainers.

III. POLICY CHANGE AND IMPLICATION

None.

IV. ECONOMIC IMPACT

Fire Rescue Department pays tuition and fees.

Total estimated cost: \$200,000 for 144 recruits (MDFR Training & Safety Division)

V. COMMENTS AND QUESTIONS

None.

RESOLUTION URGING THE MIAMI-DADE EXPRESSWAY AUTHORITY TO REQUEST THE METROPOLITAN PLANNING ORGANIZATION FOR THE GREATER MIAMI URBANIZED AREA TO RE-ALLOCATE 1.25 MILLION DOLLARS IN FEDERAL CONGESTION MITIGATION AND AIR QUALITY FUNDS FOR AN INCENTIVE PROGRAM TO SUBSIDIZE THE DEPOSIT COSTS FOR SUNPASS TRANSPONDERS

Commissioner Rebeca Sosa

I. SUMMARY

This resolution urges the Miami-Dade Expressway Authority (MDX) to request that the Metropolitan Planning Organization (MPO) re-allocate \$1.25 million in Federal Congestion Mitigation and Air Quality (CMAQ) funds for the purposes of a program to subsidize the deposit price for SunPass transponders for low-income residents of Miami-Dade County.

II. PRESENT SITUATION

The Sun Pass program is an electronic tolls collection system located on Miami-Dade County's toll expressways and the Florida Tumpike which allows users pay their tolls without stopping at the toll plaza. The system utilizes an electronic transponder which communicates with antennas located at toll plazas and deducts the cost to the toll from a "Prepaid Account" associated with each transponder.

According to SunPass, a lane equipped with the SunPass system can handle up to 1,800 vehicles per hour, approximately 300% more than a manual toll lane.

Currently, users purchase the SunPass transponder for \$25 + tax and are required to provide a minimum opening balance of an additional \$25, for a start up total of at least \$50. Transponders can be purchased at Publix, Eckerd's Drug Stores, Turnpike Services Plazas, MDX headquarters, and four (4) auto tag agencies across Miami-Dade County.

Users of SunPass who utilize their credit card to open their account and replenish their prepaid account can establish an automatic replenishment of their account once their prepaid balance reaches \$10.

Customers, who use cash or check to open an account and/or replenish their account, can do so by obtaining a SunPass deposit ticket book and make deposits to their prepaid account at any Wachovia Bank branch in Florida or at SunPass Customer Service Centers in Boca Raton, Niceville, and Milton, Fl.

There are currently approximately 430,000 registered SunPass users in Miami-Dade County.

BCC ITEM 9(J)(2)(A) June 6, 2004

In March 2004, the Miami-Dade Expressway Authority increased the toll rates on MDX controlled expressways, for non-SunPass users, from .75 cents to \$1.00. SunPass users continue to pay the .75 cent rate.

Some Commissioners have expressed concern that the increase in rates for non-SunPass users results in persons who cannot afford the transponders being burdened with the higher tolls. Thus, those who can afford it the least, pay the most.

MDX contends that the variable pricing is a result of it being cheaper in the long run to operate SunPass lanes than manual toll lanes.

On May 25, 2004 the Board of County Commissioners passed Resolution R-677-04 directing that no County Funds be utilized for a program to subsidize the purchase of SunPass transponders. The resolution went further to prohibit the County from allocating any discretionary Federal or State funds for this purpose and urged MDX and the MPO to utilize their own resources in developing this type of program.

III. POLICY CHANGE AND IMPLICATION

There is currently no incentive or subsidization program in Miami-Dade County for the purchase of SunPass transponders for any segment of the population.

If effectuated, this resolution calls for the utilization of Federal Congestion Mitigation and Air Quality (CMAQ) funds to be utilized to develop a program to subsidize the \$25 cost of the transponders for low income residents and seniors residing in Miami-Dade County.

The MPO stated, at the April 22 Transportation Committee Meeting, that CMAQ funds were originally used to fund the construction of the 836 SunPass Toll Plaza. The rational for the use of CMAQ funds was that fewer pollutants were emitted from automobiles utilizing electronic transponders than from automobiles that must stop and idle at the toll plazas then accelerate away from the plaza.

Further, the MPO was uncertain that the desired subsidization program would qualify under the terms of the CMAO program. (SEE ATTACHMENT 2)

The County and/or MPO should devise a distribution plan that would discourage the re-sale of transponders by those persons that would receive them at no cost.

IV. ECONOMIC IMPACT

The resolution requests the reallocation of \$1.25 million in Federal Congestion Mitigation and Air Quality (CMAQ) funds be used for this program.

Alternative Funding Scenario

The following funding utilizes Year 2000 Census information along with conservative assumptions to develop a potential fiscal impact to the County if alternative funds are needed for this, or an expanded program.

Current estimated Miami-Dade County Population - 2,372,000.

Percentage of Miami-Dade Citizens at (or below) poverty level - 18% or 420,587 people.

Assumption 1 - 65% (or 273,388) of those at or below the poverty line are of legal age to drive.

Assumption 2-1 out of 3 (or 90,218) of those residents at or below the poverty line own an automobile.

Hardware Costs

Using these facts and assumptions, it would cost approximately \$2.3 million to provide a free SunPass transponder to all residents who are below the poverty line and own automobiles.

There would also be a fiscal impacted associated with the entity charged with the distribution of the subsidized transponders.

V. COMMENTS AND QUESTIONS

There is a concern that with the current SunPass lane capacity, that any significant increase in the number of SunPass users could have a negative (or reverse effect) at some Toll Plazas, creating a bottle neck in SunPass lanes. Eventually however, these bottlenecks would dissipate with the expansion of the number of SunPass lanes available.

Possible Distribution Scenario

In order to discourage misuse of subsidized transponders, the program could be established to provide users with a certificate of credit for \$25 at the time of purchase of the transponder. When the purchaser of the transponder activates the transponder via telephone or on-line, they can use the numbered certificate as a \$25 credit towards their prepaid account.

Then end result would still be that the start-up cost would be \$25 instead of \$50.

This scenario would insure that recipients of the \$25 credit would have already made the effort, through purchase of the transponder, to establish a SunPass account.

Further, the current CMAQ funds allocated to Miami-Dade County are fully programmed into existing and/or future projects. Thus any re-allocation of funds towards this program would have a negative fiscal impact in the same amount to an already programmed project.

The following Chart lists other States and Cities utilizing Electronic Toll Collection Systems and the start up costs associated with those systems.

State	Deposit Amount (Cash)	Deposit Amount (Credit Cards)
New Jersey - E- Z Pass	\$10 if account is replenished via cash, check or money order.	Free if account is replenished via credit card.
Maryland - E - Z Pass	\$10 if account is replenished via cash, check or money order.	Free if account is replenished via credit card.
California - FasTrak	\$30 if account is replenished via cash, check or money order.	Free if account is replenished via credit card.
Orlando - E - PASS	\$25 if account is replenished via cash, check or money order.	\$25 if account is replenished via credit card.
Georgia - Cruise Card	N/A	Account must be opened with a chargeable credit or debit card. Initial deposit amount is \$40 towards the Prepaid Account.

Federal-aid Eligibility Policy Guide

The operating costs for traffic monitoring, management, and control systems, such as integrated traffic control systems, incident management programs, and traffic control centers, are eligible for Federal reimbursement from National Highway System and Surface Transportation Program funding. For projects located in air quality non-attainment and maintenance areas, and in accordance with the eligibility requirements of 23 USC 149(b), Congestion Mitigation and Air Quality Improvement Program funds may be used for operating costs for a 3-year period, so long as those systems measurably demonstrate reductions in traffic delays. Operating costs include labor costs, administrative costs, costs of utilities and rent, and other costs, including system maintenance costs, associated with the continuous operation of the system.

Introduction

The movement of people, goods, and vehicles on the nation's surface transportation system is now critically dependent on how effectively that system is managed and operated. Adding to the roadway system is necessary in some key locations and corridors to serve the demands for this movement, and in some cases, provide for economic development in the area. However, the construction of new lanes will never alleviate the need for effective management and operations of the system - on existing as well as new segments. Well planned, cost-effective transportation operations and management actions can improve mobility, safety, and productivity of the system for transportation users in urban and rural areas.

Background - Legislative

The Transportation Equity Act for the 21st Century (TEA-21), signed into law on June 9, 1998, reinforces the Federal commitment to manage and operate the nation's transportation system. Under TEA-21, the Federal-aid Highway Program continues eligibility of operating costs for traffic monitoring, management, and control. The legislation defines operating costs as including labor costs, administrative costs, costs of utilities and rent, and other costs associated with the continuous management and operation of traffic systems, such as integrated traffic control systems, incident management programs, and traffic control centers.(1) An "operational improvement" continues to mean a capital improvement for installation of traffic surveillance and control equipment; computerized signal systems; motorist information systems; integrated traffic control systems; incident management programs; transportation demand management facilities; strategies, and programs; and such other capital improvements to public roads as the Secretary may designate, by regulation. (2) By definition, an operational improvement still does not include restoration or rehabilitating improvements; construction of additional lanes, interchanges, and grade separations; and construction of a new facility on a new location.

For both National Highway System (NHS) and Surface Transportation Program (STP), TEA-21 continues the eligibility of capital and operating costs for traffic monitoring, management, and control facilities and programs. (3) Also, TEA-21 clarifies the eligibility of NHS and STP funds for Intelligent Transportation Systems (ITS) capital

improvements to specifically allow funds to be spent for infrastructure-based ITS capital improvements. (4)

For the Congestion Mitigation and Air Quality Improvement Program, TEA-21 continues to include the establishment or operation of a traffic monitoring, management, and control facility or program as potentially eligible projects. TEA-21 also explicitly adds, as an eligible condition for funding, programs or projects that improve traffic flow, including projects to improve signalization, construct high occupancy vehicle lanes, improve intersections, and implement ITS strategies.

Interpretation / Rationale

Examples of typical eligible operating cost and expenses for traffic monitoring, management, and control include those costs mentioned in the legislative definition for operating costs. In order to assure continuous operation, costs associated with maintaining these systems are necessary operating expenses so that traffic monitoring, management, and control facilities or programs provide their intended functions. Examples of these maintenance costs include system maintenance activities to assure peak performance (preventive computer maintenance) and replacement of defective or damaged computer components and other traffic management system hardware (including street-side hardware). Specific eligibility determinations related to traffic control operational costs and maintenance expenses are the discretion of the FHWA Division Office in a particular state.

This interpretation is consistent with the FHWA Strategic Plan, specifically related to the Mobility Goal and the Strategic Objective to "Improve the operation of the highway systems and intermodal linkages to increase transportation access for all people and commodities." In light of TEA-21, which reaffirms and increases the Federal commitment to manage and operate the nation's surface transportation system, this interpretation is also consistent with the intent of Congress.

It is appropriate for FHWA to adopt policies that encourage efficient management and operation of surface transportation. With a greater shift toward applying technology to addressing transportation needs, a broader life-cycle view of transportation operations is warranted that includes all activities related to sustaining system performance.

Examples

Some of the types of Federal-aid projects that may be funded include the installation and integration of the Intelligent Transportation Systems Infrastructure such as:

- Planning for regional Management and Operations programs
- Traffic Signal Control Systems
- · Freeway Management Systems
- Incident Management Systems
- Multimodal Traveler Information Systems
- Transit Management Systems
- Electronic Toll Collection Systems
- Electronic Fare Payment Systems

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Attachment 2

- Railroad Grade Crossing Systems
- · Emergency Services
- · Implementation of the National ITS Architecture for metropolitan and rural areas
- Development of regional ITS Architecture

Some examples of typical Federal-aid capital improvement projects that may include eligible operating costs include:

- System Integration
- Telecommunications
- · Reconstruction of Buildings or Structures that house system components
- Control / Management Center (Construction) and System Hardware and Software for the projects
- Infrastructure-based Intelligent Transportation System capital improvements to link systems to improve transportation and public safety services
- Dynamic / Variable message signs
- Traffic Signals

Some examples of typical eligible operating cost and expenses for traffic monitoring, management, and control include:

- Labor Costs
- Administrative costs
- Costs of Utilities and Rent
- Other costs associated with the continuous operation of the above-mentioned facilities and systems
- System Maintenance (activities to assure peak performance)
- Replacement of defective or damaged computer components and other traffic management system hardware (including street-side hardware).
- Computer hardware and software upgrades to remedy Year 2000 (Y2K) problems.

Questions and Answers

- Q. What would not be considered eligible as an operating cost?
- A. The discretion and flexibility afforded FHWA Division Offices in determining the eligibility of specific activities under this guidance, the allowances for preventive maintenance in Title 23⁽⁷⁾, and other Federal-aid policies can allow for virtually any activity to be eligible. However, routine maintenance items that are not critical to the successful operation of the system, such as the painting of traffic signal controller cabinets or the maintenance of the exterior of transportation management center buildings, would normally fall outside of eligible operating costs.
- Q. What are some typical activities associated with transportation management center computers whose costs could be eligible under Federal-aid?
- A. Besides the costs associated with designing and procuring the computer system, other eligible activities could include regular checking of the computer components to make sure they are fully functional. Any corrective measures or upgrades (software or hardware) that are necessary would be eligible activities.

Q: Can "spare parts" be eligible for federal-aid?

A: System-critical parts (i.e., ones that are essential for the successful operation of the system) that are susceptible to failure, regardless of reason - acts of God, crashes, electronic "infant mortality" - have been determined by some FHWA Division Offices as eligible for federal-aid reimbursement.

Q: What documentation do states or local governments need to submit (or present upon request) for approval or authorization of operating costs?

A: The amount and specific nature of documentation are left to the judgement of the FHWA Division Office, but the documentation should be sufficient to determine that the proposed expenditures would be eligible for Federal-aid reimbursement.

Q: Besides TEA-21 and Title 23, what overall rules govern the eligible operating costs and procurement method?

A: The Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments (available at

http://www.whitehouse.gov/OMB/circulars/a087/a087-all.html) establishes principles for determining the allowable costs incurred by State, local, and federally-recognized Indian tribal governments under grants, cost reimbursement contracts, and other agreements with the Federal Government. Part 18 of Title 49 of the Code of Federal Regulations (49 CFR Part 18, available at

http://www.access.gpo.gov/nara/cfr/index.html) also includes information related to the administration of grants and cooperative agreements with State and local governments.

Q. Where can I find out more about the Congestion Mitigation and Air Quality Improvement (CMAQ) Program?

A. The latest guidance on the CMAQ Program was issued April 28, 1999, and is available from FHWA Division and FTA Regional offices. The guidance, along with other CMAQ Program information, is available on the internet at http://www.fhwa.dot.gov/environment/cmaq.htm

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO REJECT THE PROPOSALS RECEIVED FOR REQUEST FOR PROPOSALS NO. 427 AND TO ADVERTISE REQUEST FOR PROPOSALS NO. 427A FOR AND ON BEHALF OF MIAMI-DADE COUNTY TO OBTAIN FINANCIAL CONSULTING SERVICES FOR CITIZENS' INDEPENDENT TRANSPORTATION TRUST, TO EXERCISE ANY CANCELLATION AND READVERTISE ANY CANCELLATION AND READVERTISEMENT PROVISION AND TO EXERCISE ALL OTHER RIGHTS CONTAINED THEREIN

County Manager

I. SUMMARY

This item seeks to reject all proposals and re-advertise RFP No. 427A for the procurement of Financial Consulting Services for the Citizens Independent Transportation Trust (CITT).

II. PRESENT SITUATION

On July 9, 2002 the Board of County Commissioners passed Ordinance 02-117 creating the Citizens Independent Transportation Trust (CITT).

The main focus of the CITT was to monitor, oversee, review, audit, and investigate implementation of the transportation and transit projects listed in any levy of the surtax, and all other projects funded in whole or in part with surtax proceeds.

On January 20, 2004, the Board of County Commissioners (BCC) approved the issuance of RFP No. 427 for the procurement of an Independent Financial Consultant for the CITT. This RFP was a "Set Aside" for a Woman Owned Business Enterprise (WBE).

Two (2) proposals were submitted.

- Isela Monteagudo, C.P.A., P.A.
- · Odeon Group, Inc.

The Evaluation/Selection Committee (Committee) recommended that both proposals be rejected on the basis of low technical scores received during the evaluation process.

The Scope of Work conveyed upon the CITT would justify the need for a Financial Consultant/Auditor.

The County utilizes consultants such as this in various departments for a wide range of technical support.

III. POLICY CHANGE AND IMPLICATION

This new RFP would be open to WBE, BBE, and HBE firms with a 10% weighted Selection Factor applied to firms who are certified by DBD in the women/minority programs.

Further, the new RFP was changed to include Subcontractor Goals instead of Selection Factors. This change was made to ensure that WBE, BBE, and HBE participation would meet specific levels of service, as opposed to being used solely to win the bid actually not perform the desired level of work.

IV. ECONOMIC IMPACT

This resolution establishes an estimated contract ceiling of \$500,000 per year.

The County Manager proposes that these services be funded entirely through the Charter County Transportation Surtax.

However the contract ceiling will actually be based on negotiated lump sum fees for specific tasks and a negotiated multiplier for professional, clerical, and administrative staff.

Recent contracts put forward by the Public Works Department list a 2.85 multiplier as the industry standard for Engineering Consulting work. Although the industry standard for Financial Consulting may be lower, it could be assumed that the multiplier would be in the 2.3 to 2.95 range. This means that for every dollar paid by the consultant to its employee, the CITT would reimburse the consultant between \$2.30 and \$2.95.

Multipliers like these are common practice in the consulting industry. These multipliers are designed to compensate the consultant for reasonable fringe benefits, overhead, and profit.

V. COMMENTS AND QUESTIONS

None.